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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

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MARYLAND SHALL ISSUE, INC., :
et al., :
Plaintiffs : Case No:
-vs- : 16-cv-3311-MJG
LAWRENCE HOGAN, in his :
capacity of Governor of :
Maryland, et al., :
Defendants :
-----X

Deposition of James P. Russell, Jr.

Baltimore, Maryland

Monday, June 11, 2018

Reported by: Kathleen M. Vaglica, RPR, RMR
Job No: 409351

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EXHIBIT
2

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1 among whom?

2 A. Maryland State Police. Sworn personnel
3 within the Maryland State Police. Sorry about that.

4 Q. That's okay. Just trying to clarify for
5 the record. Now, were you asked to provide any
6 written report?

7 A. Yes, sir.

8 Q. All right. And in addition to being a
9 firearms instructor and a law enforcement officer,
10 do you have any other areas of expertise that are,
11 pertain to the opinions you're going to give in this
12 case?

13 A. To just do my 13 years of being on a live
14 firing range, as well as -- when you say my other
15 instructor certifications, dealing with anything
16 outside the realm of firearms?

17 Q. Yes.

18 A. I can start listing those off as well, and
19 I provided those, I believe, to AG Katz in regard to
20 my certifications as a Maryland State Police
21 defensive tactics instructor.

22 Q. Okay.

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1 that support your written report which we've marked
2 as Exhibit 126?

3 MR. SCOTT: Objection to form. You can
4 answer.

5 THE WITNESS: In regards to authorities?
6 BY MR. SWEENEY:

7 Q. Yes.

8 A. And public safety laws?

9 Q. Maryland law. Any authority you're
10 relying on other than what we've already marked and
11 talked about this morning.

12 MR. SCOTT: Objection. You can answer,
13 unless I tell you not to. Go ahead and answer.

14 THE WITNESS: Yes, sir. Just due to my
15 prior training and experience in regards to Maryland
16 law and Maryland statute in regard, as well as
17 public safety.

18 BY MR. SWEENEY:

19 Q. All right. Have you, yourself, conducted
20 any kind of study regarding firearm use and its
21 relationship to public safety?

22 A. I've never conducted any studies, no, sir.

1 another set of eyes and ears.

2 Q. And do you have any information on how
3 many individuals qualified for the training required
4 by the 77R by taking an NRA pistol course or similar
5 course as opposed to the online video?

6 A. No, sir, I'm not.

7 Q. Do you know if anybody has done any study
8 about whether or not any individuals who took only
9 the online video as opposed to having taken one of
10 the other courses of instruction like the NRA pistol
11 course have any different outcome in terms of
12 accidental discharge or safe use of firearms?

13 A. I'm not familiar with any studies, but I
14 can just tell you through my time on the range and
15 watching the live fire and also the portions that we
16 talk about for the firearm safety is that there's a
17 lot of issues that get uncovered at that range when
18 they started dealing with the weapon.

19 Q. Now, the vast majority of your experience
20 as a firearms instructor is with law enforcement
21 officers, primarily Maryland State Police and also
22 retired law enforcement officers; correct?

1 have accidental shootings; correct? We talked about
2 that?

3 A. Yes, there's been accidental shootings
4 among the sworn personnel and LEOSA.

5 Q. And do you have any information or data
6 that the HQL training has reduced the number of
7 straw purchases in Maryland?

8 A. No, sir, I do not have any information.

9 Q. Do you have any information about whether
10 the HQL training has reduced the number of convicted
11 felons in possession of handguns in Maryland?

12 A. No, sir, I don't have that information.

13 Q. Do you have any information about whether
14 the HQL training has reduced the number of
15 disqualified persons in possession of handguns in
16 Maryland?

17 A. No, sir.

18 Q. Do you have any information on whether the
19 training has had any effect on compliance with
20 Maryland firearms storage law?

21 A. No, sir, I don't have any data, but I can
22 go back, once again, and talk about the experiences

1 that I've had on the range and in the classroom
2 setting in regards to the questions that are being
3 presented that fulfills that portion of it, the
4 safety portion of it, that they wouldn't have
5 received in a video and follow-up questions.

6 Like I said, I'll use the example of
7 helping obtain a safe, you know. I'll lead them to
8 Cabela's, the safes that I think are most
9 appropriate for the amount of weapons that they are
10 using and stuff like that. That wouldn't be, you
11 know, they don't have that information on the video.

12 Q. And that's based solely on the feedback
13 you get from questioning by your students in your
14 HQL classes?

15 A. Just as a result of, correct, it would be
16 in there in person.

17 Q. And do you provide quizzes to your
18 students in your classes on the HQL?

19 A. Quizzes, no, sir.

20 Q. Any other test of their learning in the
21 classroom?

22 A. Just like I said, sender/receiver

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1 of a big pick-up truck. We were working on the
2 vehicles, and I was standing outside of it when it
3 went off, outside the vehicle when it went off. So
4 that's one I did observe. My ears are still
5 ringing.

6 Q. I understand. Have you or any member of
7 your family ever been personally affected by gun
8 violence or the victim of any type of gun crime?

9 A. No, sir.

10 Q. You don't have any idea how many
11 accidental discharges occur in Maryland either
12 before or after the HQL requirement, do you?

13 A. No, sir, I do not. I don't know how you'd
14 track that. Good question. How many happened at a
15 range?

16 Q. I have no idea. I got your two-page
17 summary that said you were telling me there was a
18 reduction. I don't know how you track it. You
19 agree with me that pretty much would be impossible
20 to track, don't you?

21 MR. SCOTT: Objection.

22 THE WITNESS: I wouldn't say it's